

CHAPTER NO. 285

SENATE BILL NO. 2265

By Kyle, Cooper

Substituted for: House Bill No. 2279

By McMillan, Miller

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 1, Part 3, relative to the disciplinary authority of governmental entities attached to the division of regulatory boards.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 1, Part 3, is amended by adding the following as a new, appropriately designated section:

Section ____.

(a) In addition to any other lawful disciplinary authority, any board, commission or agency attached to the division of regulatory boards may, upon receipt of a certified order, refuse to issue or renew a license, permit or authorization to practice, and revoke, suspend or restrict any license, permit or authorization to practice it has issued to any person who:

(1) Has had the person's license, permit or authorization to practice in the profession or occupation subject to the jurisdiction of the board, commission or agency suspended or revoked by another state or national board, commission or agency for any acts or omissions that would constitute grounds for discipline in this state; or

(2) Has voluntarily surrendered the person's license, permit or authorization to practice in the profession or occupation that is subject to the jurisdiction of the board, commission or agency as a result of or during the pendency of disciplinary proceedings by another state or national board, commission or agency for any acts or omissions that would constitute grounds for discipline in this state.

(b) The provisions of the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, govern all matters and procedures respecting the hearing and judicial review of any contested case, as defined therein, arising under the authority of this section.

(c) Any board, commission or agency attached to the division of regulatory boards is authorized to promulgate rules to effectuate the purposes of this section. All such rules and regulations shall be promulgated in accordance with the provisions of the Uniform Administrative Procedures Act compiled at Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 16, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of May 2005


PHIL BREDESEN, GOVERNOR